

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Clifton Anderson and Richard Stoerkel,) C/A No.: 3:10-cv-2547-JFA
)
Plaintiffs,)
)
vs.) **ORDER**
)
City of Camden, Lt. Mike Stone,)
Kershaw County, Peggy Spivey, and)
Bobbie Bullington,)
)
Defendants.)
)

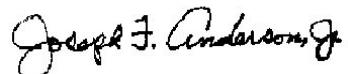
After their motions for summary judgment were granted, the defendants, City of Camden, Lieutenant Mike Stone, Kershaw County, Peggy Spivey, and Bobbie Bullington, filed motions for costs as the prevailing parties in this action. The plaintiffs have filed an opposition to the costs being taxed, suggesting that the plaintiffs' constitutional rights were violated and that the court should deny the defendants' motions for costs.

The Bill of Costs in this action reveals that costs total \$2,030.50 for Defendants Kershaw County, Spivey, and Bullington and that costs total \$1,923.75 for Defendants City of Camden and Lt. Stone. As such, the total of the defendants' costs is \$3,954.25, which is completely comprised of the costs for depositions taken by the defendants. The court has reviewed the record and its notes in this action and has conferred with its law clerk regarding the extent to which the depositions played a part in the resolution of this case. It has been this court's practice in the past to deny, at least in part, a motion for costs where depositions were not used or were used only to a very limited extent. In this case, both this court and its law clerk relied, in part, on the depositions submitted by the defendants in resolving this case. As such, this court finds it

appropriate to apportion one fourth of the total deposition costs to plaintiffs. Accordingly, the plaintiffs' objection to the Bill of Costs is sustained in part and overruled in part, and the Clerk is hereby authorized to tax one fourth of the full amount sought.

IT IS SO ORDERED.

November 17, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge